

**DECLARATION AND POWER OF ATTORNEY**

As a below named inventor, I hereby declare:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor, if only one name is listed below, or an original, first and joint inventor, if plural names are listed below, of the subject matter which is claimed and for which a patent is sought on the invention entitled NITROSO COMPOUNDS TO TREAT ISCHEMIA, the specification of which "is attached hereto."

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office (the Office), all information which is known by me to be material to patentability as defined in Title 37, Code of Federal Regulations (C.F.R.), Section 1.56.

**CLAIM OF PRIORITY**

I hereby claim foreign benefits under Title 35, United States Code (U.S.C.), Section 119, of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Application Ser. No. \_\_\_\_\_, filed in (country) \_\_\_\_\_ on \_\_\_\_\_.

I hereby claim the benefit under 35 U.S.C. § 120, of any United States application(s) listed below and, insofar as the above-identified specification, including claims, discloses and claims subject matter in addition to that disclosed in the prior copending application(s), listed below, I acknowledge the duty to disclose to the Office, all information which is known by me to be material to patentability as defined in 37 C.F.R. § 1.56, which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Serial No. \_\_\_\_\_, filed on \_\_\_\_\_.

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:

U.S. Serial No. 60/430,545, filed on December 3, 2002, and now abandoned on July 31, 2003.

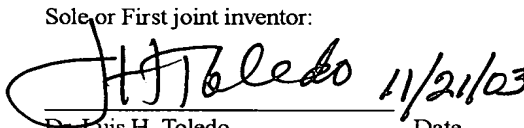
**POWER OF ATTORNEY**

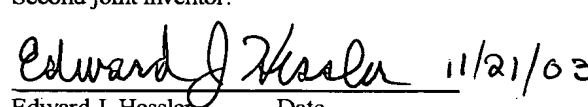
I hereby appoint the patent law firm of Van Dyke, Gardner, Linn & Burkhart, LLP, 2851 Charlevoix Drive, S.E., Suite 207, Grand Rapids, Michigan 49546, telephone number 616/975-5500, facsimile number 616/975-5505, and the individual patent attorneys and patent agents at such patent law firm, namely, Daniel Van Dyke, Reg. No. 25 046; Donald S. Gardner, Reg. No. 25 975; Terence J. Linn, Reg. No. 30 283; Frederick S. Burkhart, Reg. No. 29 288; Catherine S. Collins, Reg. No. 37 599; Timothy A. Flory, Reg. No. 42 540; and Bruce Stein, Reg. No. 27 231, my attorney(s) or agent(s) with full power of substitution and revocation, to prosecute this application and to transact all business in and to receive all correspondence from the Patent and Trademark Office connected therewith.

All statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true, and further, these statements are made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements may jeopardize the validity of this application or any patent issued thereon.


Sole or First joint inventor:

Second joint inventor:

 11/21/03  
 Dr. Luis H. Toledo Date  
 Citizenship: USA  
 Residence: 3598 Whistling Lane  
 Portage, Michigan 49024  
 United States of America  
 Post Office Address: as above

 11/21/03  
 Edward J. Hessler Date  
 Citizenship: USA  
 Residence: 2503 Lomond Dr.  
 Kalamazoo, Michigan 49008  
 United States of America  
 Post Office Address: as above

Third joint inventor:

 11/21/03  
 Harold Howard A. Karnes Date  
 Citizenship: USA  
 Residence: 10727 Sudan  
 Portage, Michigan 49002  
 United States of America  
 Post Office Address: as above